



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Meeting Agenda Full Detail

City Commission

Tuesday, March 7, 2023

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

You may attend/participate virtually via Zoom by telephoning 1-305-224-1968 Meeting ID: 841 0288 0336 Passcode: 157900 or online at: <https://us02web.zoom.us/j/84102880336> Passcode: 157900

CALL MEETING TO ORDER - 5:01 P.M.

ROLL CALL

INVOCATION - Reverend Mildred Roscoe

PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA - The agenda was unanimously approved as amended

PROCLAMATIONS

1 Transit Worker Appreciation Week

Sponsors: Mayor Johnston, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley, Commissioner Carey, Vice Mayor Kaufman and Commissioner Hoover

Attachments: [Transit Worker Appreciation 2023](#)

2 Mohawk Day

Sponsors: City Commission

Attachments: [Mohawk Day](#)

3 Women's History Month

Sponsors: Mayor Johnston, Commissioner Lopez, Commissioner Wardlow, Commissioner Weekley, Commissioner Carey, Vice Mayor Kaufman and Commissioner Hoover

Attachments: [Women's History Month](#)

4 70th Anniversary of the Glass Bottom Boat

Sponsors: Mayor Johnston, Commissioner Weekley, Commissioner Wardlow, Vice Mayor Kaufman, Commissioner Hoover and Commissioner Lopez

Attachments: [Pride of Key West Day](#)

City Attorney's Report**City Manager's Report**

- 20 Year Anniversary - Lieutenant Bradley Lariz

- Retirement - Alfred Phillips, 12 years

CONSENT AGENDA*

*Item is considered to be routine and enacted by one motion with no separate discussion, unless requested by a Commission Member or citizen, in which event the item will be removed from the order and considered in its normal sequence on the agenda. The City of Key West may take action on any matter during this meeting, including items that are not set forth within this agenda.

MINUTES**5** *February 7, 2023 (Regular)

Attachments: [Minutes](#)

6 *February 15, 2023 (Special)

Attachments: [Minutes](#)

RESOLUTIONS**7** *Authorizing City staff to apply to establish Boqueron, Puerto Rico as a Sister City to the City of Key West.

Sponsors: Commissioner Lopez, Commissioner Wardlow and Commissioner Weekley

Attachments: [Resolution](#)

[Cabo Rojo Sister City Request 3.1.23](#)

- 8 *Granting a Special Event Permit to Scott Gerke and Samantha Plencher's wedding at the Oldest House 322 Duval Street; Pursuant to Section 6-86 of the Code of Ordinances from 6:30 P.M. to Midnight on Saturday, April 7, 2023.
- Sponsors:** City Manager McLaughlin
Attachments: [Resolution](#)
[Application](#)
- 9 *Authorizing the Key West Art & Historical Society, Inc. to conduct the Papiro Kinetic Parade at the Customs House 281 Front Street on Saturday, April 22, 2023 from 12:00 P.M. to 1:00 P.M.; Pursuant to terms and conditions set forth by the City Manager.
- Sponsors:** City Manager McLaughlin
Attachments: [Resolution](#)
[Executive Summary](#)
[Application](#)
- 10 *Authorizing Key West Police Athletic League, Inc. to conduct a Mango Fest at Bayview Park on Saturday, June 24, 2023 from 7:00 A.M. to 4:00 P.M.; Pursuant to terms and conditions set forth by the City Manager; Authorizing the sale and consumption of alcohol beverages within the enclosed area.
- Sponsors:** City Manager McLaughlin
Attachments: [Resolution](#)
[Executive Summary](#)
[Application](#)

- 11 *Amending the contract for Environmental Engineering Services with E Sciences, Incorporated by amending the contract to reflect a name change to Resource Environmental Solutions, LLC (RES)

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Letter from E Sciences RES](#)

[Fictitious Name Info from Sunbiz](#)

[Contract Extension](#)

[E Sciences EES Contract 2020](#)

- 12 *Approving the purchase of 10 new handheld Motorola radios and related accessories from Motorola Solutions, Inc. in an amount not to exceed \$62,631.40, as described in the attached price quote, as a sole source provider, pursuant to City Code 2-797(1)(b) in accordance with City Code Section 2-844 for brand name purchases for the Key West Emergency Operations Center; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Key West Sole Source 01FEB23](#)

[KWFD 10 6000XE 01FEB23 QUOTE-2034008-1](#)

- 13 *Approving the attached "Consulting Agreement" between the City and Mote Marine Laboratory, Inc., A 501(c)3 Non-Profit Organization, for the purpose of restoring and maintaining coral reefs adjacent to Key West; Authorizing any necessary budget transfers and adjustments.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Coral Reef Restoration Ordinance](#)

[Mote Marine_CKW_FINAL](#)

- 14 *Approving the proposed Settlement Agreement between the City of Key West and Valerie I. Dugan in Circuit Court Case Number 2021-CA-534-K in the amount of \$71,822.00; Authorizing the City Manager to execute all settlement documents upon the advice and consent of the City Attorney.

Sponsors: Mr. Ramsingh

Attachments: [Resolution](#)

[Executive Summary](#)

[Final Order of Dismissal](#)

[Stip for Final Order of Dismissal](#)

[Release-DUGAN not yet executed 2-25-22](#)

- 15 *Approving the attached "Third Amendment to Task Order No. 2022-03-TBGC-PA" in the amount of up to \$75,000.00 (bringing Task Order cost to \$175,000.00), to Tidal Basin Government Consulting, LLC (Tidal Basin) for additional Emergency Management Consulting Services related to Hurricane Ian; Authorizing the City Manager to negotiate and execute necessary documents, upon advice and consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Resolution 22-285](#)

[Third Amendment to Task Order - CKW Hurricane Ian](#)

[Resolution 20-068](#)

[Resolution 22-029 and Tidal Basin Contract Amendment](#)

[Tidal Basin Task Order - CKW Hurricane Ian](#)

[First Amendment to Task Order - CKW Hurricane Ian](#)

[2nd Amendment to Task Order - CKW Hurricane Ian](#)

- 16 *Approving a Change Order in the amount of \$35,011.84 to the procurement of repairs for Customs and Border Protection (CPB) to refurbish the Key West Police Department's 27-foot SAFE boat approved in Resolution 22-145; Authorizing any necessary budget transfers.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Safe Boat Repair Invoice after QA Inspection](#)

[Key West PD Refurbish Estimate 10-11-2022](#)

[Res 21-192 Grant Award](#)

[Res 22-145 Original Procurement](#)

- 17 *Awarding the bid of Charley Toppino & Sons, Inc.(CTS) received in response to Invitation to Bid (ITB) #23-003 for United Street Improvements (Project II41022302 -Paving/II41022301 - ADA Sidewalks) in a total amount not to exceed \$4,860,063.92; Authorizing any necessary budget adjustments and amendments; Authorizing the City Manager to execute a contract in substantial conformance with the bid documents, upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Bid Memo ITB 23-003](#)

[CTS_BID_UNITED_ST_IMPROVEMENTS](#)

[The Stout Group - ITB 23-003 United Street Improvements Bid](#)

[ITB 23-003 United St. Improvements Final JMM 1.25.23\(003\)](#)

[22-043 Task Order 1-22 with CH2M United St Improvements](#)

[CH2M United Contract - Signed](#)

[Res 21-006 Recognize CH2M-Jacobs Merger](#)

- 18 *Renewing for two years the Environmental Engineering Services Contracts with four (4) vendors, originally awarded in Resolution 20-039 in response to RFQ 20-002 for City of Key West Environmental Engineering Services; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Environmental Engineering Contract Extension Tetra](#)

[Environmental Engineering Contract Extension \(2\)GHD](#)

[EES contract extension RES](#)

[Environmental Engineering Contract Extension \(1\)Atkins](#)

[Res 20-039 Approve Env Eng Svcs](#)

[Atkins EES Contract 2020](#)

[GHD Services EES Contract 2020](#)

[Tetra Tech EES Contract 2020](#)

[City of Key West Name Change Notification Letter 1-30-2023](#)

[E Sciences EES Contract 2020](#)

- 19 *Rejecting all bids received in response to Invitation to Bid (ITB) #23-001, for CCTV Equipment Purchase - City Marina at Garrison Bight, pursuant to Section 2-834(4) of the Code of Ordinances.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[ITB #23-001](#)

[Bid Memo](#)

[Tadeos Response](#)

[Hy-Tech Response](#)

- 20 *Approving a Task Order under the City's General Utilities and Infrastructure Contract with Charley Toppino & Sons, Inc. in a total amount not to exceed \$160,598.80 for the milling, paving and curbing of the Indigenous Park Parking Lot; Authorizing any necessary budget adjustments; Authorizing City Manager or designee to execute documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Task Order](#)

[Schedule of Values](#)

[Resolution and Contract](#)

- 21 *Approving a Work Order (5) under the City's Pavement Markings, Striping & Roadway Signage Contract with Charley Toppino & Sons, Inc. (CTS) in a total amount not to exceed \$118,178.15 for pavement marking inclusive of all ROW and permitting fees for streets referenced in the attached Work Order (Eaton Street between White and Simonton); Authorizing budget adjustments if necessary; Authorizing the City Manager to execute necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLaughlin

Attachments: [Resolution](#)

[Executive Summary](#)

[Work Order](#)

[Executed Pavement Marking Contract](#)

[Resolution 18-294](#)

[Resolution 20-095](#)

[Purchase Request](#)

- 22 ***Quasi-Judicial Hearing: Easement - 1500 Vernon Avenue** - A request for an Easement Agreement for three encroachments consisting of approximately 237.81 square-feet, more or less, in order to maintain one (1) concrete wall, one (1) concrete slab, and one (1) awning on City-owned property located within the Historic Commercial Tourist (HCT) zoning district at 1500 Vernon Avenue, Key West, Florida (RE#00037410-000200), pursuant to Section 2-938(b)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; providing fees and conditions.
- Sponsors:* City Manager McLaughlin
- Attachments:* [Planning Package](#)
- [Utilities Comments](#)
- [Urban Forestry Comments](#)
- 23 Selecting Ronald Ramsingh for the position of City Attorney; Directing staff to negotiate a contract for approval by the City Commission.
- Sponsors:* Mayor Johnston
- Attachments:* [Resolution](#)
- [Ronald Ramsingh Resume](#)
- [Advisory Screening Committee for City Attorney Resolution](#)
- 24 Approving the attached Employment Agreement between the City of Key West and Albert P. Childress for the position of City Manager
- Sponsors:* Mayor Johnston
- Attachments:* [Resolution](#)
- [Childress Employment Agreement Proposed](#)

- 25 Urging the Florida Department of Education to reverse its rejection of an Advanced Placement course covering African American Studies in state high schools; Opposing the Department of Education's position that the Advanced Placement course covering African American Studies will indoctrinate students to a political agenda, and supporting the need for Advanced Placement courses on African American Studies; Authorizing the City Clerk to transmit a certified copy of the Resolution to the Florida Department of Education and Governor Ron DeSantis.

Sponsors: Commissioner Weekley and Commissioner Lopez

Attachments: [Resolution](#)

- 26 Directing the City Attorney to commence legal action related to enforcement of the Parking Agreement benefiting the Marker Resort.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)

- 27 Urging the Florida Legislature to defeat HB807 and SB1700, which would provide reciprocity to allow any person with a license or permit to operate a vehicle for hire from any county or municipality to operate a vehicle for hire in any other county or municipality without being subject to additional licensing or permitting requirements; Directing the City Clerk to provide this resolution to certain members of the Florida Legislature.

Sponsors: Commissioner Weekley

Attachments: [Resolution](#)

[Proposed Florida HB 807](#)

- 28 Authorizing an Amendment to Task Order (CGA Proposal No. 19-3329) between the City and Calvin Giordano & Associates (CGA) for Key West Wickers Sports Complex Transportation Improvements and Design Services in the amount of \$221,4425.00 (bringing Task Order to \$371,635.00); Authorizing any necessary budget amendments and adjustments; Authorizing the City Manager to execute any necessary documents upon consent of the City Attorney.

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)

[Executive Summary](#)

[19-3329 Key West Wicker Sports Complex 6.04.21 \(executed\).pdf](#)

[Res 18-143 Approve Traffic Eng Svcs.pdf](#)

[Res 21-063 Extend Traffic Eng Svcs.pdf](#)

[19-3329.1 Key West Sport Complex Design Services ASA Final 01.09.23 \(signed\)](#)

- 29 Approving the attached "HAWK Missile Site/Higgs Beach Interlocal Agreement" with regard to the use and ownership of open space known as the HAWK Missile Site

Sponsors: City Manager McLauchlin

Attachments: [Resolution](#)

[Interlocal Agreement - Parks and Rec](#)

[Monroe BOCC Agenda Item HAWK 2-15-23](#)

ORDINANCES - SECOND READING (Public Hearing and Proposed Adoption)

30

An Ordinance of the City of Key West, Florida, amending the City's Comprehensive Plan, Chapter 1, entitled "Future Land Use Element", to amend the Future Land Use Map boundaries of the Historic Residential (HR) and Historic Commercial (HC) Zoning Districts for the parcel identified by RE# 00014010-000000, including addresses of 318 and 320 Petronia Street, and 802, 804 and 806 Whitehead Street, pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for the repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Lopez

Attachments: [Ordinance 3.7.23](#)

[Executive Summary 3.7.23](#)

[Ordinance - 9.16.20 Draft](#)

[Executive Summary - 9.16.20](#)

[Presentation 9.16.20](#)

[Planning Board Resolution 2020-01](#)

[*Large File* Planning Packet](#)

[*Large File* 909 page submittal from Neighbors](#)

[Request to Postpone](#)

[Letters of Objection from surrounding neighbors](#)

[Neighbors' Objection to Commission Proceeding](#)

[Presentation on Flum Amendment.pdf](#)

[Letter from Todd Santoro](#)

[Letter from Robert Walsh](#)

[Letter from Marci Rose](#)

[Written Presentation Notes - Owen Trepanier](#)

Legislative History

5/23/19	Development Review Committee	Received and Filed
6/20/19	Planning Board	Postponed
7/18/19	Planning Board	Postponed
8/15/19	Planning Board	Postponed
9/19/19	Planning Board	Postponed
10/17/19	Planning Board	Postponed
11/21/19	Planning Board	Postponed

1/16/20	Planning Board	Passed
3/3/20	City Commission	Postponed
4/7/20	City Commission	Postponed
5/5/20	City Commission	Postponed
6/2/20	City Commission	Postponed
6/16/20	City Commission	Postponed
7/21/20	City Commission	Postponed
9/16/20	City Commission	Postponed
10/6/22	City Commission	Postponed
11/1/22	City Commission	Passed to Second Reading

31

An Ordinance of the City of Key West, Florida, amending the boundaries of the Official Zoning Map, amending boundaries of the Historic Medium Density Residential (HMDR) and Historic Neighborhood Commercial (HNC-3) Zoning Districts for the parcel identified by RE# 00014010-000000, including addresses of 318 and 320 Petronia Street, and 802, 804 and 806 Whitehead Street, pursuant to Chapter 90, Article VI, Division 2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for repeal of inconsistent provisions; Providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; Providing for an effective date.

Sponsors: Commissioner Lopez

Attachments: [Ordinance for 3.7.23](#)

[Executive Summary - 3.7.23](#)

[Ordinance - 9.16.20 Draft](#)

[Executive Summary - 9.16.20](#)

[Presentation 9.16.20](#)

[Planning Board Resolution 2020-02](#)

[*Large File* Planning Packet](#)

[*Large File* 909 page submittal from Neighbors](#)

[Request to Postpone](#)

[Letters of Objection from surrounding neighbors](#)

[Neighbors' Objection to Commission Proceedings](#)

[Letter from Todd Santoro](#)

[Letter from Robert Walsh](#)

[Letter from Marci Rose](#)

Legislative History

5/23/19	Development Review Committee	Received and Filed
6/20/19	Planning Board	Postponed
7/18/19	Planning Board	Postponed
8/15/19	Planning Board	Postponed
9/19/19	Planning Board	Postponed
10/17/19	Planning Board	Postponed
11/21/19	Planning Board	Postponed
1/16/20	Planning Board	Passed

3/3/20	City Commission	Postponed
4/7/20	City Commission	Postponed
5/5/20	City Commission	Postponed
6/2/20	City Commission	Postponed
6/16/20	City Commission	Postponed
7/21/20	City Commission	Postponed
9/16/20	City Commission	Postponed
10/6/22	City Commission	Postponed
11/1/22	City Commission	Passed to Second Reading

32

An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled "Vehicles for Hire" by amending Section 78-64, to amend the number of independent passenger vehicle for hire licenses that the City may issue; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance 2nd reading](#)

[Executive Summary 2nd reading](#)

Legislative History

1/4/23	City Commission	Postponed
1/18/23	City Commission	Postponed
2/7/23	City Commission	Passed to Second Reading

33

An Ordinance of the City of Key West, Florida, amending Chapter 78 of the Code of Ordinances, entitled "Vehicles for Hire" by amending Section 78-92 to adjust certain requirements that a passenger vehicle for hire (PVH) driver permit applicant must provide prior to issuance of a permit by the City; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Weekley

Attachments: [Ordinance](#)

[Executive Summary](#)

Legislative History

1/4/23	City Commission	Postponed
1/18/23	City Commission	Postponed
2/7/23	City Commission	Passed to Second Reading

34

An Ordinance of the City of Key West, Florida, amending Chapter 26 of the Code of Ordinances, entitled "Environment", Article II entitled "Nuisances", by adding Section 6 titled "Outdoor Lighting" by adding Section 26-132 titled "Definitions" by adding Section 26-133 titled "Applicability", by adding Section 26-134 titled "Prohibition", by adding Section 26-135 titled "Exemptions", by adding Section 26-136 titled "Penalties"; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Sponsors: Commissioner Hoover

Attachments: [Ordinance](#)

Legislative History

2/7/23

City Commission

Passed to Second Reading

CITIZEN COMMENTS

COMMISSION COMMENTS

ADJOURNMENT- 9:01 P.M.